

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

1:08cv429

[consolidating 1:08cv429, 1:09cv30, 1:09cv227, and 1:09cv231]

**MARGIE GAIL DURKEE; MICHAEL EARL)
DURKEE; JACKIE NEWTON, Guardian Ad)
Litem on behalf of C. D.; BARNEY DURKEE;)
and BARBARA DURKEE;)**

Plaintiffs,

Vs.

**CARROLL JETT; CORETRANS, LLC;)
DOMTAR PAPER COMPANY, LLC;)
DOMTAR INDUSTRIES, INC.; DOMTAR,)
INC.; DOMTAR CORPORATION;)
PEOPLEASE CORPORATION,)**

Defendants.

ORDER

THIS MATTER is before the court on the following motions:

- (1) Peoplease Corporation's Motion to Dismiss (#31); and
- (2) Peoplease Corporation's Motion to Dismiss (#32).

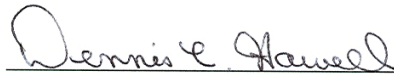
It appearing that plaintiffs have filed a Stipulation of Dismissal of certain claims which resolves the dispositive motions, the court will formally deem such motions to be moot.¹

¹ The court notes that the Clerk of this court has properly terminated such motions in advance of this Order. The undersigned intends this Order only to be a housekeeping measure so that all parties may be advised of the reason for the termination of such motions.

ORDER

IT IS, THEREFORE, ORDERED that Peoplease Corporation's Motion to Dismiss (#31) and Peoplease Corporation's Motion to Dismiss (#32) are **DEEMED** moot.

Signed: November 3, 2009

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Dennis L. Howell
United States Magistrate Judge

